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PATENT APPLICATION

03560.002524.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initial Application of:

Teruaki OKUDA

Appln. No.: 09/472,988

Filed: December 28, 1999

For: RECORDING MEDIUM, AND  
RECORDING METHOD USING  
THE SAME

)  
: Examiner: P. Schwartz

)  
: Group Art Unit: 1774

)  
:  
: October 20, 2003  
)

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

Applicant and his undersigned representative thank the Examiner for the courtesy of the personal interview conducted on October 8, 2003.

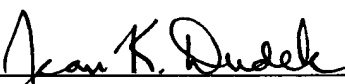
Claims 1-12 and the Section 103 rejection based on Hirose et al. alone or in view of Malhotra or Cousin et al. were discussed at the interview. The Examiner took the position that the outermost surface layer of Hirose et al. would inherently be transparent. Applicant disagreed. Applicant's representative stated that to establish inherency, the missing feature must necessarily be present in the reference. MPEP § 212 was reviewed. The Examiner stated that she could have made the same obviousness rejection, based on the same references, without saying that the feature is inherent. The Examiner maintains the rejection of Claims 1-3 and 6.

Claims 13-17 (newly presented in the September 22, 2003 Amendment, but not yet entered) were also discussed at the interview. It was noted that independent Claim 13 recites that the outermost surface layer consists essentially of thermoplastic latex resin particles, and that Claim 13 does not include the feature recited in amended Claim 1 that the outermost latex surface layer forms a transparent film upon heating of the recording medium (a feature that is not recited in Claim 1 as originally filed). It was also noted that in Hirose et al., the outermost layer is composed principally of cationic ultrafine particles. The Examiner expressed a need to do a further search of the prior art with respect to Claim 13 and its dependent claims.

Possible rejoinder of withdrawn claims was also discussed. At that time, the Examiner did not consider any claims to be allowable.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

  
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